

MINUTES

MONTANA HOUSE OF REPRESENTATIVES 56th LEGISLATURE - REGULAR SESSION

COMMITTEE ON JUDICIARY

Call to Order: By **CHAIRMAN ROBERT C. CLARK**, on January 29, 1999
at 8:00 A.M., in Room 312 - 1 Capitol.

ROLL CALL

Members Present:

Rep. Robert C. Clark, Chairman (R)
Rep. Dan McGee, Vice Chairman (R)
Rep. Diana Wyatt, Vice Chairman (D)
Rep. Chris Ahner (R)
Rep. Shiell Anderson (R)
Rep. Paul Clark (D)
Rep. Aubyn A. Curtiss (R)
Rep. Bill Eggers (D)
Rep. Tom Facey (D)
Rep. Steven Gallus (D)
Rep. Gail Gutsche (D)
Rep. Joan Hurdle (D)
Rep. Rick Jore (R)
Rep. Sam Kitzenberg (R)
Rep. Mark Noennig (R)
Rep. Jim Shockley (R)
Rep. Loren Soft (R)
Rep. Carol Williams (D)
Rep. Cindy Younkin (R)

Members Excused: Rep. Brad Molnar (R)

Members Absent: None.

Staff Present: John MacMaster, Legislative Branch
Pam Schindler, Committee Secretary

Please Note: These are summary minutes. Testimony and
discussion are paraphrased and condensed.

Committee Business Summary:

Hearing(s) & Date(s): HB 374, HB 371,
Date Posted: 1/27/1999
Executive Action: HB 380 & SB 24 Tabled

HB 382-Do Pass
SB 20-Be concurred in as
amended

HEARING ON HB 374

Sponsor:

Rep. Hurdle presented HB 374.

{Tape : 1; Side : A; Approx. Time Counter : 29 - 63}

Proponents:

Sandy Oitzinger, Montana Juvenile Probation Officers Association

{Tape : 1; Side : A; Approx. Time Counter : 63 - 91}

Roberta Drew, Juvenile Public Defender, Billings

{Tape : 1; Side : A; Approx. Time Counter : 91 - 117}

Debbie Waddell, Montana Association of Churches

{Tape : 1; Side : A; Approx. Time Counter : 117 - 168}

Sharon Hoff, Montana Catholic Conference

{Tape : 1; Side : A; Approx. Time Counter : 168 - 187}

Jane McCall, Youth Justice Council

{Tape : 1; Side : A; Approx. Time Counter : 187 - 204}

Opponents:

None

Informational Testimony:

Allen Horsfal, Board of Crime Control

{Tape : 1; Side : A; Approx. Time Counter : 204 - 348}

Questions from Committee Members and Responses:

{Tape : 1; Side : A; Approx. Time Counter : 348 - 550}

{Tape : 1; Side : B; Approx. Time Counter : 0 - 128}

EXHIBIT (juh23a0

1)

Closing by Sponsor:

Rep. Hurdle made closing statements.

{Tape : 1; Side : B; Approx. Time Counter : 128 - 146}

EXECUTIVE ACTION ON HB 382

Motion/Vote: REP. SHOCKLEY moved that HB 382 DO PASS. Motion carried 15-0.

(Rep. P. Clark, Wyatt, Kitzenberg, Gallus and Curtis absent during voting.)

{Tape : 1; Side : B; Approx. Time Counter : 146 - 230}

EXECUTIVE ACTION ON SB 8

Motion: REP. YOUNKIN moved that SB 8 BE CONCURRED IN. REP. EGGERS moved that SB 8 be POSTPONED; MOTION PASSED.
{Tape : 1; Side : B; Approx. Time Counter : 230 - 335}

HEARING ON HB 371

Sponsor:

Rep. Cobb presented HB 371.

{Tape : 1; Side : B; Approx. Time Counter : 335 - 381}

Proponents:

Craig Reap, Montana Highway Patrol

{Tape : 1; Side : B; Approx. Time Counter : 381 - 417}

EXHIBIT (juh23a0

2)

Opponents:

None

Informational Testimony:

None

Questions from Committee Members and Responses:

{Tape : 1; Side : B; Approx. Time Counter : 417 - 550}

{Tape : 2; Side : A; Approx. Time Counter : 0 - 10}

Closing by Sponsor:

Rep. Cobb made closing statements.

{Tape : 2; Side : A; Approx. Time Counter : 10 - 20}

EXECUTIVE ACTION ON HB 380

Motion: REP. ANDERSON moved that HB 380 DO PASS.

Motion/Vote: REP. EGGERS moved that HB 380 BE TABLED. Motion carried 12-8 with R. Clark and Curtiss, Jore, Kitzenberg, McGee, Molnar, Younkin, and Anderson voting no.

{Tape : 2; Side : A; Approx. Time Counter : 20 - 290}

EXECUTIVE ACTION ON SB 20

Motion: REP. YOUNKIN moved that SB 20 BE CONCURRED IN.

Motion/Vote: REP. NOENNIG moved that SB 20; DELETE LINE 18-19 PG 2 BE AMENDED. Motion carried 14-6.

Motion/Vote: REP. YOUNKIN moved that SB 20 BE CONCURRED IN AS AMENDED. Motion carried 19-1 with Jore voting no.

{Tape : 2; Side : A; Approx. Time Counter : 290 - 405}

EXECUTIVE ACTION ON SB 24

Motion/Vote: REP. YOUNKIN moved that SB 24 BE CONCURRED IN.

Motion failed 4-16 with Clark, Kitzenberg, McGee, and Molnar voting aye.

Motion made for reverse vote and TABLE: MOTION PASSED

{Tape : 2; Side : A; Approx. Time Counter : 405 - 550}

{Tape : 2; Side : B; Approx. Time Counter : 0 - 72}

Rep. Younkin asked the committee if HB 309 (Rep. Molnar) could be reconsidered; MOTION TO RECONSIDER was denied as Rep. Molnar was not present during this action

EXHIBIT (juh23a0

3)

ADJOURNMENT

Adjournment: 10:03 A.M.

REP. ROBERT C. CLARK, Chairman

PAM SCHINDLER, Secretary

RC/PS

EXHIBIT (juh23aad)